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SENATE

REPORT
100-22

LEGISLATIVE REVIEW DURING THE 99TH CONGRESS BY THE SENATE COMMITTEE ON RULES AND ADMINISTRATION

MARCH 25 (legislative day, MARCH 24), 1987.—Ordered to be printed

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Mr. FORD, from the Committee on Rules and Administration, submitted the following

REPORT

Pursuant to paragraph 8(b) of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration submits its report on legislative review during the 99th Congress under the chairmanship of Senator Charles McC. Mathias, Jr. Paragraph 8 provides that standing committees of the Senate shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts thereof, the subject matter of which is within their jurisdiction, and submit to the Senate, not later than March 31 of each odd-numbered year, a report detailing the activities of that committee for a preceding Congress. The text of paragraph 8 of rule XXVI is as follows:

> 8. (a) In order to assist the Senate in—
>
> (1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and
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> (2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,
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> each standing committee (except the Committees on Appropriations and the Budget), shall review and study, on a continuing basis the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the legislative jurisdiction of that committee. Such committees may carry out the required analysis, appraisal, and evaluation themselves, or by contract, or may require a Government agency to do so and furnish a report thereon to the Senate. Such committees may rely

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on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time.

(b) In each odd-numbered year, each such committee shall submit, not later than March 31, to the Senate, a report on the activities of that committee under this paragraph during the Congress ending at noon on January 3 of such year.

JURISDICTION OF THE COMMITTEE ON RULES AND ADMINISTRATION

The jurisdiction of the Committee on Rules and Administration is contained in paragraph 1 of rule XXVI of the Standing Rules of the Senate. Excerpts of such paragraph are as follows:

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * * * *

(n)(1) Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Administration of the Senate Office Buildings and the Senate wing of the Capitol, including the assignment of office space.

2. Congressional organization relative to rules and procedures, and Senate rules and regulations, including floor and gallery rules.

3. Corrupt practices.

4. Credentials and qualifications of Members of the Senate, contested elections, and acceptance of incompatible offices.

5. Federal elections generally, including the election of the President, Vice President, and Members of the Congress.

6. Government Printing Office, and the printing and correction of the Congressional Record, as well as those matters provided for under rule XI.

7. Meetings of the Congress and attendance of Members.

8. Payment of money out of the contingent fund of the Senate or creating a charge upon the same (except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee).

9. Presidential succession.

10. Purchase of books and manuscripts and erection of monuments to the memory of individuals.

11. Senate Library and statuary, art, and pictures in the Capitol and Senate Office Buildings.

12. Services to the Senate, including the Senate restaurant.

13. United States Capitol and congressional office buildings, the Library of Congress, the Smithsonian Institution (and the incorporation of similar institutions), and the Botanic Gardens.

(2) Such committee shall also—

(A) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States; and

(B) identify any court proceeding or action which, in the opinion of the Committee, is of vital interest to the Congress as a constitutionality established institution of the Federal Government and call such proceeding or action to the attention of the Senate.

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COMMITTEE LEGISLATIVE ACTIVITIES

General

During the 99th Congress, the Committee on Rules and Administration considered a total of 178 legislative measures, of which 79 were reported to the Senate. That total included 121 simple Senate resolutions (55 reported, of which 49 were agreed to), 13 Senate and House concurrent resolutions (7 reported, of which all 7 were agreed to by both the House and Senate), and 44 Senate and House bills and joint resolutions (17 reported, of which 9 were enacted into public law).

SUMMARY OF BILLS AND JOINT RESOLUTIONS REPORTED BY THE COMMITTEE WHICH BECAME PUBLIC LAW

A complete listing of the bills and joint resolutions considered by the Committee on Rules and Administration during the 99th Congress, which ultimately became public law, is as follows:

S. 581 (H.R. 1483).—To authorize construction and repair of facilities for the Smithsonian Tropical Research Institute in Panama and the Fred Lawrence Whipple Observatory in Arizona. (Public Law 99-423.)

S. 1141.—To provide for the payment by the Sergeant at Arms of Senators' state office telecommunication expenses, except charges for services which vary with the amount of time the service is used. (Public Law 99-65.)

S. 1311.—To authorize the Board of Regents of the Smithsonian Institution to construct the Charles McC. Mathias, Jr. Laboratory for Environmental Research in Edgewater, Maryland, and to desig-

nate the U.S. Courthouse and Customhouse in Louisville, Kentucky, as the "Gene Snyder United States Courthouse and Customhouse". (Public Law 99-617.)

S. 2673.—To authorize appropriations for the American Folklife Center in the Library of Congress for fiscal years 1987-88 and 1989. (Public Law 99-473.)

S. 2759.—To remove the restriction in Public Law 99-65 which prohibited the Sergeant at Arms from paying for state office telecommunication expenses which vary with the amount of time the service is used. The Committee adopted a corresponding regulation allowing the Sergeant at Arms to pay for such expenses up to the cost of a Federal Telecommunication System (FTS) line whenever it would be uneconomical or unsatisfactory from the standpoint of service availability or sound quality to provide FTS service. (Public Law 99-439.)

S.J. Res. 81 (H.J. Res. 198).—Reappointing Barnabas McHenry of New York as a member of the Smithsonian Board of Regents. (Public Law 99-70.)

S.J. Res. 214.—Reappointing Carlisle Humelsine of Virginia as a member of the Smithsonian Board of Regents. (Public Law 99-285.)

S.J. Res. 215.—Reappointing William G. Bowen of New Jersey as a member of the Smithsonian Board of Regents. (Public Law 99-286.)

S.J. Res. 268.—Reappointing Dr. Murray Gell-Mann of California as a member of the Smithsonian Board of Regents. (Public Law 99-621.)

S.J. Res. 269.—Reappointing David C. Acheson of the District of Columbia as a member of the Smithsonian Board of Regents. (Public Law 99-510.)

S.J. Res. 397 (H.J. Res. 671).—To endorse the work of The Center for the Book and designating 1987 as the Year of the Reader. (Public Law 99-494.)

H.R. 4393 (S. 2539).—To improve provisions of law relating to absentee registration and voting in federal elections by military personnel and other persons residing overseas. The Committee held hearings on S. 2539 and ordered it reported, but it was indefinitely postponed when the counterpart bill (H.R. 4393) from the House was taken from the desk and passed by the Senate. (Public Law 99-410.)

BILLS AND RESOLUTIONS REPORTED BY THE COMMITTEE BUT NOT PASSED BY THE SENATE

S. 1117 (S. Rept. No. 99-43), to authorize appropriations for the Federal Election Commission for fiscal 1986, in the amount of $12,605,000, was reported on May 8, 1985; and, S. 2785 (S. Rept. No. 99-415), FEC appropriation authorizations for fiscal 1987, in the amount of $12,800,000, was reported on August 12, 1986. Neither measure was acted on by the Senate.

S. 582, to amend the National Museum Act of 1966, and to authorize additional appropriations, was the subject of hearings and favorably reported on November 4, 1985. The Senate passed the bill on February 4, 1986, but the measure was not acted on by the House.

The Committee also held hearings on S. 583, a bill to authorize the Smithsonian Institution to plan and construct additional facilities for the Cooper-Hewitt Museum in the historic Carnegie Mansion in New York City. The bill was reported on November 4, 1985, passed the Senate on November 12, 1985, but failed to pass the House.

S. 2448, a bill to repeal Public Law 87-186 relating to the National Armed Forces Museum Advisory Board of the Smithsonian Institution was reported on October 2, 1986, and passed the Senate October 3, 1986, but was not acted on in the House.

S. 43, the so-called line-item veto bill, which provided that each item of any general or special appropriation bill and any bill making supplemental, deficiency, or continuing appropriations approved in the same form by both Houses of Congress shall be enrolled as a separate bill or joint resolution for presentation to the President, was the subject of hearings on May 14 and 20, 1985. The Committee on June 20, 1985, reported the bill unfavorably, without amendment. Three unsuccessful cloture votes were taken on the motion to take up the bill during debate on the bill from July 17 to July 24, 1985, on which latter date the motion to proceed was withdrawn.

The Rules Committee reported on May 9, 1985, an original resolution, S. Res. 159, to establish a select committee to study and make recommendations with respect to a two-year budget process. The principal purpose of creating a Select committee on the Two-Year Budget was to eliminate some jurisdictional and procedural obstacles which materially delay consideration of improvements in the budget process. In two prior Congresses legislation to establish a two-year budget and appropriation cycle and to make other improvements in the budget process had been jointly referred to three Senate standing committees—Budget, Governmental Affairs, and Rules and Administration, each of which share jurisdiction over such legislative proposals.

The Select Committee would have been given the temporary legislative authority to consider and recommend such legislation to the Senate, and measures on this subject introduced during the existence of the Select Committee would have been referred to it. The Select Committee's jurisdiction would have been very broad and comprehensive in order to fully cover all aspects of the budget process.

A growing number of Members of the Senate had expressed increased interest in giving serious consideration to the proposed two-year budget and appropriation cycle. The Select Committee approach appeared to offer the best opportunity to get such legislation before the Senate in the shortest amount of time.

Although S. Res. 159 was agreed to by the Senate on May 17, 1985, that action was vitiated on May 20, 1985. No further action was taken during the 99th Congress.

OTHER LEGISLATIVE ACTIVITIES

S. Res. 28, to provide for television and radio broadcast coverage of Senate floor proceedings, and some related amendments to the Senate Rules of Procedure, was introduced on January 3, 1985.

Hearings were held on September 17 and 18, 1985, and the resolution was ordered reported, with amendments, on October 29, 1985.

After extensive debate, the Senate, on February 27, 1986, passed S. Res. 28, which authorized both television and radio broadcast coverage of Senate floor proceedings on a trial basis. The resolution specified that the necessary facilities and equipment should be installed and operational for an in-house test period of television coverage beginning May 1, 1986. Radio coverage was instituted on March 12, and a test period for in-house television coverage began on May 1. Public televising of the Senate began on June 2, and continued until July 15, 1986. At this point, a scheduled two-week hiatus was reduced to three days, and television coverage resumed on July 21, 1986. Radio coverage continued throughout the period during which cameras were turned off. On July 29 the Senate, by 78 yeas to 21 nays, voted to make permanent broadcast coverage of Senate floor proceedings.

S. Res. 28, as reported by the Committee on Rules and Administration and passed by the Senate, provided for a test period implementing live, gavel-to-gavel radio broadcast coverage of all proceedings in the Senate Chamber, and a closed circuit test of television coverage of all proceedings, except, in both cases, when a closed-door session was ordered. The Architect of the Capitol, the Secretary of the Senate, the Sergeant at Arms of the Senate, the Librarian of Congress, the Archivist of the United States, and the Committee on Rules and Administration were given certain specified duties by this resolution. Regulations for this coverage were also provided, and a sum not to exceed $3,500,000 for the Architect of the Capitol to carry out the purposes of the resolution was authorized to be expended from the contingent fund of the Senate.

On July 16, 1986, the Committee favorably reported S. Res. 447, an original resolution amending S. Res. 28, to prohibit the use of tape duplications of broadcast coverage of Senate proceedings for political or commercial purposes. S. Res. 447 was proposed in response to concerns about different standards for the use of radio and television tapes.

As reported by the Committee, S. Res. 28 treated the use of audio and video tapes the same—neither could be used for political or commercial purposes. S. Res. 28 as amended and agreed to by the full Senate treats duplications of the two in different ways. It prohibits only the use of tape duplications of radio coverage for political purposes, but is silent regarding other uses. However, S. Res. 28 is specific in the prohibition of the use of tape duplications of television coverage for any purpose outside the Senate.

S. Res. 447 would have merely substituted the tape use provision of S. Res. 28 as reported by the Committee for the provision adopted by the full Senate. However, no further action was taken on S. Res. 447 by the Senate.

Effective July 25, 1986, regulations were issued by the Committee on Rules and Administration under authority of Standing Rule XXXIII regarding the use of display materials in the Senate Chamber. The committee also established under authority of S. Res. 28 procedures for camera operators with explicit instructions on camera conduct.

S. Res. 28 also contained several important changes to the Standing Rules of the Senate. These include the following: removal of the provision for the consideration of treaties in committee of the whole; reduction of the amount of time for post-cloture debate to 30 hours; reduction to two days, excluding Sundays and legal holidays, the period that printed reports on a measure of matter must be available to Members prior to the consideration of such measure or matter; a change to Rule IV providing that the Senate Journal of the preceding day shall be read "unless by nondebatable motion the reading shall be waived;" and an amendment to Rule XXVIII providing that conference reports shall always be in order "when available on each Senator's desk."

The Rules Committee reported an original resolution, S. Res. 498, to amend rule XXXV of the Standing Rules of the Senate on October 1, 1986. Paragraph 4 of Standing Rule 35 (Gifts) previously required that the Chairman of the Select Committee on Ethics place a notice in the Congressional Record whenever the Select Committee approved the participation by a Member, officer, or employee of the Senate in foreign travel which was paid for by a foreign educational or charitable entity. Pursuant to the terms of the rule, the notice was to be placed in the Record prior to the commencement of the travel. S. Res. 498 amended the last sentence of paragraph 4(b) of Rule 35 by striking out "Prior to the beginning of any such program", thereby allowing the notice to be placed in the Record after foreign travel has concluded. By letter of March 27, 1986, the Chairmen and Vice Chairmen of the Select Committee on Ethics and the Select Committee on Intelligence recommended that this amendment be adopted by the Rules Committee for reasons of safety for Senate travelers. The Senate agreed to S. Res. 498 on October 3, 1986.

The Rules Committee reported favorably the following printing resolutions for Senate committees and the House of Representatives in 1985 and 1986: S. Res. 30, to authorize the printing of the report entitled "Developments in Aging: 1984" for the Special Committee on Aging; S. Res. 244, authorizing the printing of background information on the Committee on Foreign Relations for that committee; S. Res. 181, authorizing the printing of the report entitled "Highway Bridge Replacement and Rehabilitation Program, Sixth Annual Report to Congress" for the Committee on Environment and Public Works; S. Res. 231, authorizing the printing of a revised edition of the "Standing Rules of the Senate" for the Committee on Rules and Administration; S. Con. Res. 37, to provide for the acceptance and installation of a memorial sculpture of Jeannette Rankin and for the printing of the proceedings of the memorial event; S. Con. Res. 80, to authorize the printing of 2,000 additional copies of the print intitled "Defense Organization: The Need for Change" for the Committee on Armed Services; S. Con. Res. 84, to provide for the acceptance and installation of a memorial sculpture of Dr. Martin Luther King, Jr., and for the printing of the proceeding of the memorial event; S. Con. Res. 85, to authorize the compilation and printing of the Bicentennial Edition of the Biographical Directory of the United States Congress for the Committee on Rules and Administration; S. Res. 305, authorizing the printing for the use of the Special Committee on Aging of its annual

report to the Senate entitled "Developments in Aging: 1985"; S. Res. 356, authorizing the printing of a revised edition of the "Senate Election Law Guidebook 1984" for the Rules Committee; S. Res. 439, to authorize the printing of a revised edition of a Senate document from the Second Session of the Ninety-Third Congress entitled "Procedures and Guidelines for Impeachment Trials in the United States Senate"; S. Res. 482, authorizing the printing of the report entitled, "Highway Bridge Replacement and Rehabilitation Program, Seventh Annual Report to Congress" as a Senate document, for the Committee on Environment and Public Works; H. Con. Res. 288, authorizing printing of additional copies of the committee print entitled "U.N. Conference to Review and Appraise the U.N. Decade for Women: Report of Congressional Staff Advisors to the Nairobi Conference" for the Committee on Foreign Relations of the House of Representatives; and H. Con. Res. 301, authorizing printing of additional copies of a message from the President, transmitting certain rescissions, deferrals, and revised deferrals of budget authority, for the use of the House Document Room.

The Committee reported, and the Senate approved, annual authorizations for the expenditures of the Standing, Select, and Special Committees of the Senate for the periods March 1, 1985, through February 28, 1986, and March 1, 1986, through February 28, 1987. (S. Res. 85 and S. Res. 353).

S. Res. 353, which recommended an amount of $43,597,366 reflected a sequestration of 7/12ths of 4.3% ($1,280,992) mandated by the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings). It also amended S. Res. 85, as amended, (the Omnibus Committee Funding Resolution of 1985, 99th Congress, 1st Session, for the period March 1, 1985, through February 28, 1986, at an amount of $44,878,358), in order to sequester 5/12ths of the 4.3% ($914,006) mandated by the Balanced-Budget and Emergency Deficit Control Act of 1985 effective March 1, 1986. S. Res. 85, as amended, was therefore adjusted to an annual authorization of $43,964,352.

S. Res. 353 was further amended by floor action, which transferred $335,000 from the unobligated balance of the Omnibus Committee Funding Resolution of 1985, creating a special reserve available for use from March 1, 1986 through September 30, 1986; $100,000 was made available for the use of the Committee on Armed Services, while $235,000 was made available for the use of the Committee on Finance.

S. Res. 438 directed the Rules Committee to study rules and precedents applicable to impeachment trials. This was done, and S. Res. 479, an original resolution amending the Rules of Procedure and Practice in the Senate when sitting on impeachment trials, was reported by the Committee and adopted by the Senate on August 16, 1986. In anticipation of the impeachment rules changes adopted by the Senate with the agreement of S. Res. 479, a related measure, S. Res. 439, authorizing the reprinting of "Procedures and Guidelines for Impeachment Trials in the United States Senate", was amended to provide for a revised edition, was reported by the Committee, and was agreed to by the Senate on August 15, 1986.

MEASURES CONSIDERED BY THE COMMITTEE BUT NOT REPORTED

Ten legislative proposals to modify the Federal Election Campaign Act were introduced in the First Session of the 99th Congress, and seven of these bills were referred to the Senate Committee on Rules and Administration.

S. 59 by Senator Goldwater proposed to place expenditure limits on all candidates, political parties, and political action committees (PACs); it also proposed a repeal of the presidential public funding program. S. 297 by Senator Boren and a later revised version, S. 1806, placed aggregate limits on PAC funds contributed to candidates for Congress. S. 1072 by Senator Gorton would allow candidates to declare that independent spending had become a part of their campaign and thus bring such spending under contribution limits. Legislation introduced by Senator Mathias, S. 1787, proposed to finance general elections to the Senate consistent with the current public funding of the presidential general election. Senator Helms' bill, S. 1806, proposed a ban on use of union dues for any political purpose. The chief feature of S. 1891 by Senator Heinz was its projected strengthening of the role of political parties in the financing of campaigns which would be achieved by an increase in the contributions and expenditures political parties may make on behalf of federal candidates.

Five of these bills, S. 59, S. 297, S. 1806, S. 1072 and S. 1891, were practically identical to legislation on which the Committee received testimony during hearings held in the 98th Congress and which were printed under the title of Campaign Finance Reform Proposals of 1983, S. Hrg. 98-588.

The Committee renewed hearings on campaign finance reform proposals on November 5, 1985, to receive testimony on Senator Mathias' Senatorial public financing legislation, S. 1787. Witnesses included Senators Hart, Mitchell, Boren, Kerry and former Congressman Henry S. Reuss. Two panels of academics and campaign professionals presented their views on current methods of financing congressional campaigns and on public financing proposals.

In January, 1986, the Committee commenced additional hearings on campaign finance reform proposals, based in part on the heightened interest expressed by the full Senate in December, 1985, when Senator Boren attached his PAC limitation bill as an amendment to pending floor legislation. During that discussion, Senator Mathias recommended as Chairman that the Committee examine more fully the Boren bill and other campaign finance proposals before the Senate acted and finality on the PAC limitation proposal, which the Senate had declined to table. The Majority Leader agreed that the Boren proposal would be brought before the full Senate for disposition later in the second Session. At that time Senator Dole also suggested that Senate Republicans and Senate Democrats appoint separate task forces on campaign reform recommendations on which they might ultimately work together towards achieving a bipartisan proposal. The respective task forces were appointed, but did not reach a consensus on a legislative proposal.

In addition to the bills pending from the First Session, three additional campaign finance measures were introduced in the Second Session and two of these were referred to the Committee on Rules

and Administration; they were S. 2016, by Senator Dixon, a public financing bill for Senate general elections similar to a measure he introduced in the 98th Congress, and S. 2415, by Senator Hart, a bill prohibiting any Member of Congress from being closely associated with any qualifying 501(c)(3) charitable organization which did not disclose its contributions and expenditures. This latter proposal, on which the Committee did not receive testimony, also called for a study by a joint panel on the potential development of unregulated campaign expenditures by charitable educational organizations.

Four Senators—Messrs. Boren, Heinz, Mitchell, and Stennis, and Congressman Synar appeared and offered testimony at the Committee's first hearing in the Second Session held on January 22, 1986. On March 27, 1986, the Committee received Senator Goldwater's testimony and then turned to outside witnesses, including Congressional and Senatorial challengers and campaign finance reform proponents and activists. These hearings have been published as Committee documents, S. Hrg. 99-709.

On June 25, 1986, the Committee scheduled a markup on S. 1787 but a quorum of Members not appearing, the legislation was not marked up and no legislative reform proposal was reported. The full Senate, however, did take preliminary action to modify the Federal Election Campaign Act. On August 11, 1986, by a vote of 69 to 30 it approved the Boren PAC limitation legislation as an amendment to S. 655.

Subsequently, by a vote of 58 to 42 the Senate also adopted Senator Boschwitz' amendment (No. 2690) to S. 655 which would ban PAC contributions to political party committees and require disclosure of "soft money". This amendment also would nullify provisions of the Boren amendment allowing free response time for candidates who are subject to negative and large amounts of independent spending on television. Neither campaign finance amendment passed the Senate, however, because objections were raised to further consideration of S. 655, the bill underlying the amendments.

On July 23, 1986, the Rules Committee held a hearing on S. Res. 330, to establish a Special Committee on Families, Youth, and Children, which was co-sponsored by Senators Denton and Moynihan. At the hearing, the Committee heard from population experts, academicians, and representatives of advocacy groups and grassroots organizations, who all voiced the need for a committee in the Senate, similar to the House counterpart, that would study the impact of government policies on the American family and encourage the development of public and private programs and policies to assist families, children, and adolescents. The Committee considered S. Res. 330 at a business meeting on October 1, 1986, but was unable to reach agreement on the structure, costs, or duration of such a new committee.

The Committee on Rules and Administration considered and made several changes in the provisions governing Senate official mail. S. Res. 374 was an original measure reported by the Committee which apportioned one-half of the official mail funds remaining in fiscal year 1986 as of May 22, 1986, to the Senate, and allocated the Senate amount among Senators according to the populations of the States they represent. The resolution was agreed to by the

Senate on May 14, 1986. As a result of the passage of S. Res. 374, approximately $7 million from the amount appropriated was saved and a supplemental of $24 million was avoided.

S. Res. 500, agreed to an October 8, 1986, apportions one-half of the official mail funds for fiscal year 1987 to the Senate, and allocates the Senate amount among Senators according to State population and among other offices according to office budget, similar to the procedures of S. Res. 374.

In its further deliberations on mass-mail cost control the Committee held hearings on and considered S. 2059 and S. 2255, but took no action thereon. S. 2059 set forth a formula for allocating official mail funds among Senators and Representatives according to populations of their States and districts. S. 2255 would have abolished newsletters or unsolicited mass-mailings other than town-meeting notices. The Committee also discussed the desirability of splitting the official mail account into two accounts, one for the Senate and one for the House; the Ranking Minority Member of the Committee, Senator Ford, offered an amendment to the Legislative Branch Appropriations Bill for Fiscal Year 1987 to make such a division. The amendment was opposed by the House, however, and was dropped in conference.

In other actions relating to mail management, the Committee took the following actions:

—provided for the publication in the semi-annual report of the Secretary of the Senate of Senators' quarterly mass-mail costs, volumes, and per capita costs;

—increased the paper allowance for Senators from one blank sheet per adult constituent per year to one and one-third sheets;

—authorized the use of the simplified form of address ("postal patron mail") for town meeting notices and newsletters;

—prescribed procedures for the implementation in the Senate of S. 1195, a bill to provide for printing of pictures and biographies of missing children on official mail; and

—approved four-digit suffixes to the Senate zip code.

COMMITTEE NONLEGISLATIVE ACTIVITIES

Federal Election Commission Nominations

The nominations by the President of Thomas J. Josefiak and Scott E. Thomas to serve on the Federal Election Commission were referred to the Committee. Mr. Josefiak, a Republican, was named by the President in a recess appointment to the Commission in August 1985, his name having earlier been formally submitted to the Senate. The Committee held a hearing on August 5, 1986 on his nomination. The Committee met again on September 29, 1986, in a continuation of the hearing on Mr. Josefiak's nomination and to receive testimony on Scott E. Thomas, a Democrat, whose name was submitted by the President on Septermber 26, 1986. The terms of their predecessors, Frank P. Reiche and Thomas E. Harris, expired April 30, 1985; however, a member of the Commission may continue to serve until a successor takes office.

Committee review of the background and qualifications of the nominees revealed no impediments to their service on the Federal

Election Commission. On October 1, 1986 the Committee met and unanimously recommended Senate confirmation of these two nominees. They were confirmed by the Senate on October 3, 1986.

Government Printing Office/Public Printer Nomination

On January 3, 1985, Mr. Ralph E. Kinneckell, Jr., of Virginia, was nominated by President Reagan to be Public Printer, and his nomination was received by the Rules Committee.

Following an extensive background check by the Committee staff, on June 12, 1985, a public hearing was held on the nomination. At a June 20, 1985, business meeting to consider the nomination, the Committee determined that further investigation into Mr. Kinnickell's background was warranted. Subsequently, the Department of Justice was asked to investigate certain questions regarding the nominee's background. The Justice Department had the FBI conduct the investigation, and on November 14, 1985, the Department of Justice submitted the FBI's findings to the Rules Committee.

At a business meeting of the Rules Committee on December 10, 1985, a roll call vote was taken on a motion to favorably report the nomination of Mr. Kennickell to be Public Printer. The nomination was ordered reported by a vote of 8 to 4. The Senate confirmed the nomination by voice vote on December 19, 1985.

Smithsonian Institution

In connection with its oversight activities, Smithsonian investments in South Africa received Committee consideration during the 99th Congress. On July 9, 1986, the Acting Secretary of the Smithsonian Institution, in response to the Committee's request, reported to the Chairman that "as a result of decisions taken by the Board of Regents . . . the Smithsonian's trust funds are invested solely in instruments of entities established within the United States. Our investments in U.S. companies having operations in South Africa are limited to those that are signatories of the Sullivan Principles."

Library of Congress

Oversight of the Library of Congress continued in the areas of equal employment opportunity, the card catalog in the Jefferson Building, the mass book deacidification facility, the laser disk project, and the impact of budget cuts on the services of the Library and the Congressional Research Service.

Office of the Sergeant at Arms

Pursuant to various statutes and rules and resolutions of the Senate, the Rules Committee has, in conjunction with its policy making role, considerable authority over the operations of the Sergeant at Arms. Rule 25 of the Standing Rules of the Senate confers upon the Rules Committee jurisdiction over the provision of services to the Senate, the administration of the Senate Office Buildings and the Senate wing of the Capitol, and payment of money out of the contingent fund. In addition, 2 USC 68 mandates Rules Committee sanction of all payments from the contingent fund of the Senate.

On July 30 and September 29, 1986, the Rules Committee conducted oversight hearings on the operations and functions of the Office of the Sergeant at Arms. These hearings were held to enhance cooperation and communication between the Rules Committee and the Sergeant at Arms, and they served as a forum for exchanging ideas and suggestions. The hearings proved to be very beneficial.

Office Automation in the Senate

As of October 18, 1986, Office Automation equipment has been installed in the Washington offices of 99 Senators. The staff of these offices believe this program has been a great help in providing them with tools for increasing their productivity. There are now requests for an expansion of this program in Washington and to extend these services to state offices.

Systems have been installed in committees and offices of the Senate and are operational with the following exceptions: one committee system is on order; one committee has selected a system but it has not been approved yet; two committees have not selected systems; and a Request for Proposal for specialized equipment has been issued for one committee.

Regulations on Transfer of Office Automation Equipment from Retiring Senators to Successor and Relocation of Office Automation Equipment

At its October 1, 1986 business meeting, the Committee formalized a policy established at the end of the 98th Congress regarding the relocation of Office Automation (OA) equipment as Senators changed suites. The Committee also promulgated a new policy providing for the transfer of OA equipment used by a retiring Senator to the succeeding Senator.

Ninety-nine Senators now use OA equipment acquired under a lease arrangement. The size of major components and the number of peripheral devices allotted to each Senator are based on home state population. Thus, there are many variations in capacity. The regulations call for the OA system of a retiring Senator to be turned over to the succeeding Senator on the first day of the new Congress. Transfer may be made earlier if the retiring Senator agrees.

The cost of installing cables to connect to OA processor to the peripheral devices is substantial. Rearrangement of processors and peripheral devices requires the removal of cables and, in some cases, the drilling of new outlets; measuring cable, replacing cables in cable-ways, and reconnecting are costly tasks also involved if processors and peripheral devices are moved within a Senatorial suite. To avoid this expense, Senators moving into new suites will move their OA processor and peripherals and connect them to cables previously installed.

LIST OF COMMITTEE PUBLICATIONS [1]

"Expenditure Authorizations and Requirements for Senate Committees," committee print, S. Prt. 99-109, 99th Congress, 1st session, December 20, 1985.
"Expenditure Authorizations and Requirements for Senate Committees," committee print, S. Prt. 99-202, 99th Congress, 2nd session, December 19, 1986.
"Legislative Libraries and Developing Countries," S. Prt. 99-175.
"Orientation—A Handbook the Senator Elect," November 1986.
"Procedure and Guidelines for Impeachment Trials in the United States Senate," S. Doc. 99-33, August 15, 1986.
"Report of the Senate Impeachment Trial Committee," August 15 to September 23, 1986, S. Hrg. 99-812, four volumes.
"Senate Cloture Rule," committee print, S. Prt. 99-95, 99th Congress, 1985.
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[1] This list does not include committee legislative reports.